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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/792,181	03/02/2004	Dirk Trossen	882.0008.U1(US)	4930

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EXAMINER	
NGUYEN, HUY D	
ART UNIT	PAPER NUMBER
2617	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/08/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/792,181	TROSSEN, DIRK	
	Examiner	Art Unit	
	Huy D. Nguyen	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 December 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16 and 18-44* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16, 18-44* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 12/18/2006 have been fully considered but they are not persuasive.

In the remarks, the applicant submitted that Tamaki and Dahan do not teach "establishing a service provisioning relationship between the user device and a bridging user device through a first wireless network". The examiner directs the applicant to Tamaki, figure 3 where either one of the user terminals 111-114 reads on "the user device", either one of terminals 115-117 reads on "the bridging device", and the adhoc network reads on "a first wireless network" and directs the applicant to Tamaki, paragraph 0031, especially the passage "personal communications service provider terminals (terminals with repeater function) 115, 116, 117 which transfer data between end user terminals and the base stations 108, 109 and between end user terminals" reads on "establishing a service provisioning relationship between the user device and a bridging user device through a first wireless network".

The applicant submitted that Tamaki and Dahan do not teach "recording charging data for the service provisioning relationship". The examiner directs the applicant to Tamaki, figure 4 and paragraph 0033, especially " utilization fee for personal communications service provider" where the above limitation is read.

The applicant submitted that Tamaki and Dahan do not teach "...establishing and recording use trusted software...". The examiner directs the applicant to Dahan, paragraph 0011 where Dahan teaches the use of trusted software.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-9, 16, 19-24, 31-38, 41-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tamaki et al. (US 2003/0054796 A1) in view of Dahan et al. (US 2004/0123118 A1).

Regarding claims 1-2, 16, 31, 35, 41, 43, Tamaki et al. teaches a method to provide a service for a user device with a service provider, comprising: establishing a service provisioning relationship between the user device and a bridging user device through a first wireless network; providing a desired service for the user device (e.g., end user terminal 111-113, see figure 3) with the service provider via the bridging user device (e.g., terminal 115-117, see figure 3) and the first wireless network (e.g., adhoc network), and through a second wireless network (e.g., cellular network) that couples the bridging user device to the service provider; while providing the service, recording charging data for the service provisioning relationship between the user device and the bridging user device; and reporting the charging data from the bridging user device to the service provider (see figures 3 & 5 and paragraphs [0031-0033], [0035]). Tamaki et al. does not teach the use of trusted software. However, trusted software has been known in the art as taught in Dahan et al. (see paragraph [0011]). It would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Dahan et al. to the teaching of Tamaki et al. to improve security for the network.

Regarding claim 3, Tamaki et al. teaches the method as in claim 1, where the first wireless network comprises a local, short range wireless network, and where the second wireless network comprises a longer range wireless network (see figure 3 and paragraphs [0031-0033]).

Regarding claims 4, 19, Tamaki et al. teaches the method as in claim 1, where the first wireless network comprises a wireless local area network (WLAN), and where the second wireless network comprises a cellular wireless network (see figure 3 and paragraphs [0031-0033]).

Regarding claims 5, 20, Tamaki et al. teaches the method as in claim 1, where the first wireless network comprises a Bluetooth network, and where the second wireless network comprises a cellular wireless network (see figure 3 and paragraphs [0031-0033]).

Regarding claims 6, 21, 32, 36, 42, 44, Tamaki et al. teaches the method as in claim 1, where establishing includes negotiating the specifics of charging for the service provisioning relationship between the user device and the bridging user device (see figures 3 & 5 and paragraphs [0031-0033], [0035]).

Regarding claims 7, 22, Tamaki et al. teaches the method as in claim 1, where recording charging data uses at least one charging metric that is negotiated between the user device and the bridging user device when establishing the service provisioning relationship (see figures 3 & 5 and paragraphs [0031-0033], [0035]).

Regarding claims 8, 23, Tamaki et al. teaches the method as in claim 1, where recording charging data accounts at least for the use of the second wireless network by the bridging user device (see figures 3 & 5 and paragraphs [0031-0033], [0035]).

Regarding claims 9, 24, Tamaki et al. teaches the method as in claim 1, where recording charging data accounts at least for the consumption of at least one resource (e.g., repeater function) of the bridging user device (see figures 3 & 5 and paragraphs [0031-0033], [0035]).

Regarding claims 33, 37,Tamaki et al. teaches the mobile device as in claim 32, where said specifics of charging comprise use of said second wireless network by said another device (see figures 3 & 5 and paragraphs [0031-0033], [0035]).

Regarding claims 34, 38,Tamaki et al. teaches the mobile device as in claim 32, where said specifics of charging comprise use of at least one resource (e.g., repeater function) of said another device (see figures 3 & 5 and paragraphs [0031-0033], [0035]).

4. Claims 10-11, 25-26, 39-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tamaki et al. in view of Dahan et al. and in further view of Kirkup et al (US 2004/0142686 A1).

Regarding claims 10-11, 25-26, 39-40, the combination of Tamaki et al. and Dahan et al. teaches the claimed invention except reporting occurs periodically while the service is being provided. However, it would have been an obvious matter of design choice to have reporting occur periodically while the service is being provided since the invention would perform equally well regardless of when the reporting occurs.

5. Claims 12-13, 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tamaki et al. in view of Dahan et al. and in further view of Sakakura (Document ID: JP 2002209028 A).

Regarding claims 12-13, 27-28, the combination of Tamaki et al. and Dahan et al. teaches the claimed invention except the credential information wherein the credential information

comprises an identification of the user. However, the preceding limitation is taught in Sakakura (see the abstract). It would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Sakakura to the teaching of Tamaki et al. and Dahan et al. for security purpose.

6. Claims 14, 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tamaki et al. in view of Dahan et al., Sakakura (Document ID: JP 2002209028 A) and in further view of Piazza et al. (US 2003/0061358 A1).

Regarding claims 14, 29, the combination of Tamaki et al., Dahan et al., and Sakakura teaches the claimed invention except the information that identifies the user is encrypted. However, the preceding limitation is taught in Piazza et al. (see paragraphs [0025], [0138]). It would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Piazza et al. to the teaching of Tamaki et al., Dahan et al., and Sakakura to increase network security.

7. Claims 15, 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tamaki et al. in view of Dahan et al., Sakakura (Document ID: JP 2002209028 A) and in further view of Von Kaenel et al. (US 2004/0117358 A1).

Regarding claims 15, 30, the combination of Tamaki et al., Dahan et al., and Sakakura teaches the claimed invention except the charging record for the session is uniquely identified based on a session identifier. However, the preceding limitation is taught in Von Kaenel et al. (see paragraphs [0974], [1032]). It would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Von Kaenel et al. to the teaching

of Tamaki et al., Dahan et al., and Sakakura to properly charge the user and to provide network security.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy D. Nguyen whose telephone number is 571-272-7845. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Huy D Nguyen
Patent Examiner
Art Unit 2617

JOSEPH FEILD
SUPERVISORY PATENT EXAMINER